

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RAJA KANNAN,  
Plaintiff,

v.

APPLE INC.,  
Defendant.

Case No.17-cv-07305-EJD (VKD)

**ORDER RE APPLE'S STATUS  
REPORT RE THIRD-PARTY  
SUBPOENAS**

Re: Dkt. No. 126

On September 25, 2019, the Court ordered defendant Apple Inc. to contact each of the medical providers on whom it served a subpoena and inquire whether the provider can re-produce the records to include only the information specifically called for in the subpoena, and if so, how long the provider requires to re-produce that material. Dkt. No. 120 at 4. The Court further ordered Apple to file a status report by September 27, 2019 regarding the results of its inquiries. *Id.* In its September 27, 2019 status report, Apple advises that it has contacted all third-party subpoena recipients, that it continues to follow up with them, and that it may seek an order compelling production should its efforts fail. Dkt. No. 126. With respect to certain subpoenas, Apple proposes that First Legal (the subpoena service used to process the subpoenas) be permitted to make redactions to documents it has already received from some of the medical providers so that the production is limited to just the information sought in the subpoenas. *Id.* at 3, 4. Plaintiff Raja Kannan filed a response to Apple's status report objecting to Apple's proposal and seeking an opportunity to serve written objections to Apple's third-party subpoenas. Dkt. No. 127.

Having considered the parties' submissions, the Court orders as follows: Apple shall serve on Mr. Kannan copies of any subpoenas it re-served on the third parties after the September 24, 2019 hearing on this issue. The Court assumes that the subpoenas that Apple re-served are

identical to those previously served on the third parties, and if that is the case, Mr. Kannan has already had an opportunity to object to those subpoenas and advised the Court that he did object. Dkt. No. 108 at ECF p.38. The Court has already heard the parties' dispute regarding production by the third parties of documents responsive to the subpoenas. It is not clear from Mr. Kannan's response to the status report why further opportunity to object is warranted here. Moreover, the Court notes that it has already determined that Apple may discover from the subpoenaed third parties the following information:


1. The dates of all medical appointments and visits for Mr. Kannan's son from January 1, 2013 through April 30, 2017;
2. The persons in attendance at all medical appointments and visits for Mr. Kannan's son from January 1, 2013 through April 30, 2017; and
3. Records reflecting Mr. Kannan and his family's move to India.

Dkt. No. 128 at 114:22–116:17.

The parties shall submit a further joint status report by **October 7, 2019** concerning efforts to obtain responsive documents from the third parties.

**IT IS SO ORDERED.**

Dated: September 30, 2019

  
VIRGINIA K. DEMARCHI  
United States Magistrate Judge